

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29679 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -MAHILA PS District- KATIHAR

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Alam Gir @ Md. Alam Gir, S/o Luthfur Rahman, R/o Vill.- Gairiwabadwa
Toli, P.S.- Barari, District- Katihar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pravin Chandra Prasad, Advocate.

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 28-06-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Mahila P.S.**

Case No. 06 of 2018, G.R. No. 876 of 2018 instituted for the
offence under Section 376 of the Indian Penal Code.

It is alleged in the written report that petitioner on the
date of occurrence caught hold the informant and committed
illegal act with her. The statement of the victim girl has been
recorded under Section 164 Cr. P.C., certified copy of which, has
been produced during hearing of the bail petition. The victim girl
has stated in her statement recorded under Section 164 Cr. P.C.
that petitioner has merely attempted to commit illegal act with her.
Thereafter, the instant case has been filed.

It has been submitted that petitioner has now married



with the informant and she is living happily with this petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Mahila P.S. Case No. 06 of 2018 (G.R. No. 876 of 2018)**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Katihar**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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